

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**UNITED STATES OF AMERICA,**  
*Plaintiff*  
  
v.  
  
**AKHABUE EHIS ONOIMOIMILIN (2),**  
*Defendant*

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**Case No. 1:19-CR-169-RP-2**

**ORDER**

Now before the Court is Defendant Akhabue Ehis Onoimoimilin's Motion to Withdraw as Attorney and Appoint Counsel on Appeal, filed July 15, 2021 (Dkt. 73). The District Court referred the motion to the undersigned Magistrate Judge for resolution on July 16, 2021.

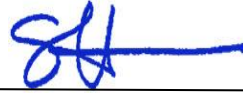
Final judgment was entered in this action on July 7, 2021, and Defendant has filed a notice of appeal to the United States Court of Appeals for the Fifth Circuit. Dkts. 69, 72. Defendant now asks that counsel be permitted to withdraw and that he be appointed appellate counsel.

Having considered the motion, the undersigned finds that there is good cause to grant the motion and permit the counsel to withdraw, and that Defendant has received notice. **IT IS THEREFORE ORDERED** that Kevin W. Boyd is hereby **WITHDRAWN** as Defendant's counsel of record.

Defendant has been detained since his arrest on February 10, 2020, and sentenced to a term of imprisonment. Consistent with the Financial Affidavit Defendant completed the day of his arrest (Dkt. 14) and counsel's statement that Defendant now is indigent and without funds to hire counsel (Dkt. 73 at 1), the Court finds that Defendant is financially unable to employ appellate counsel, and that the interests of justice require that counsel be appointed to represent him on appeal.

**IT IS FURTHER ORDERED** that **Doyle L. Young #00797718** is hereby **APPOINTED** to represent Defendant on appeal.

**SIGNED** on July 16, 2021.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE